

REMARKS

By the foregoing, the claims are amended as discussed hereinbelow, and the abstract of the disclosure is amended to avoid use of the word "said" as required by the Examiner. Favorable reconsideration of the application in its presently-amended form is requested.

Claims Indicated as Allowable

It is noted with appreciation that claims 12, 13, 15, 22, 29 and 30 have been determined to have allowable subject matter (page 9 of the Office Action). Accordingly, claims 13, 15, 22 and 30 have been amended as required to place these claims in allowable condition. Claims 12 and 29 have been replaced by new dependent claims 31 and 32, respectively.

More particularly, claim 22, which was rejected under 35 USC §112, second paragraph, has been amended at lines 6-7 to provide antecedent basis for "flexible sheet material." Claim 22 is accordingly in condition for allowance.

Claims 13, 15 and 30 were each objected to as being dependent upon a rejected base claim. Accordingly, claim 13 has been amended into independent form, incorporating the limitations of claim 9. Claim 15 has been amended into independent form, incorporating the limitations of claims 9 and 14. Claim 30 has been amended into independent form, incorporating the limitations of claims 26 and 28. Claim 12 has been replaced by claim 31 dependent from claim 13, and claim 29 has been replaced by claim 32, dependent from claim 30.

Claims 23, 24 and 25

On pages 7 and 8 of the Office Action, combination claims 23 and 24 are rejected under 35 USC §103(a) as being unpatentable over Lange US 4,593,841 in view of Boone US 2003/0192925; and claim 25 is rejected under 35 USC §103(a) as unpatentable over Lange US 4,593,941 in view of Boone

US 2003/0192925 and further in view of Rosen US 5,549,354. Reconsideration is requested.

Independent claim 23 recites "a child safety car seat" as a positive element of the combination. As noted by the Examiner, Lange "does not disclose that the bag-like carrier is provided in combination with a child safety car seat." However, with reference to paragraph [0005] of Boone US 2003/0192925, the Examiner asserts that Boone "discloses the desirability of providing a bag-like carrier in combination with a child safety car seat."

Reconsideration and withdrawal of this rejection are requested on the basis that, based on the relevant dates, the subject matter of the referenced Boone paragraph [0005] is not available as a prior art reference.

The subject application Serial No. 10/701,252 claims the benefit of U.S. provisional patent application Serial No. 60/428,732, filed November 22, 2002. That provisional application discloses the invention in the manner provided by the first paragraph of 35 USC §112. (Although applicant's actual date of invention is prior to November 22, 2002, the filing date November 22, 2002 is sufficiently early to remove the relied-upon paragraph in Boone US 2003/0192925 as a reference.)

Considering the effective date of the relied-upon disclosure in Boone US 2003/0192925, application Serial No. 10/443,838 upon which publication No. US 2003/0192925 is based has a filing date of May 23, 2003, which was subsequent to applicant's provisional patent application filing date of November 22, 2002. Boone, however, itself claims priority from two prior applications, Serial No. 10/309,085, filed on December 4, 2002, now U.S. Patent No. 7,004,362; and provisional application Serial No. 60/336,631, filed on December 7, 2001. Boone U.S. Patent No. 7,004,362, based on the Boone application Serial No. 10/309,085, filed December 4, 2002, as printed, includes that same relied-upon paragraph, in column 1, lines 46-51. However, Boone provisional application Serial No. 60/336,631, as filed on December 7, 2001, as downloaded

through the USPTO public PAIR system does not include the relied-upon paragraph.

Accordingly, based on this record, the earliest effective date of the relied-upon paragraph [0005] in Boone US 2003/0192925 is December 4, 2002, which is subsequent to the November 22, 2002 priority date of the subject application. Therefore, the relied-upon paragraph of Boone US 2003/0192925 is not available as a reference.

The rejection of claims 23, 24 and 25 is not supported, and should be withdrawn.

Claims 1-11, 14, 16-21 and 26-28

On page 3 of the Office Action, claims 1-6, 8-10, 14, 16-19, 21, 26 and 27 are rejected under 35 USC §102 as anticipated by Lange US 4,593,841; on page 5 of the Office Action, claims 1, 2, 5-10, 14, 18-21, 26 and 27 are rejected under 35 USC §102 as anticipated by Dunn US 5,265,894; and on page 6 of the Office Action, claims 11 and 28 are rejected under 35 USC §103 as unpatentable over Lange US 4,593,841 in view of Rosen US 5,549,354.

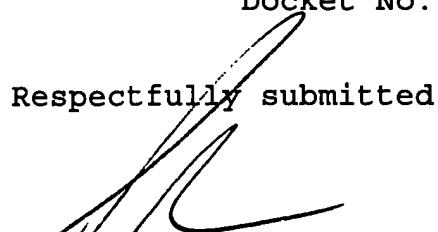
In response, each of the rejected independent claims 1, 9 and 26 has been amended into combination claim form, reciting "a child safety car seat" as a positive element of the claim. Dependent claims 2-8 have been amended to properly depend from combination claim 1, dependent claims 10, 11, 14 and 16-21 have been amended to properly depend from combination claim 9; and dependent claims 27 and 28 have been amended to properly depend from independent combination claim 26.

Accordingly, each of these claims is allowable over the prior art for the same reasons as are claims 23-25, discussed above particularly in the context of the effective date of the relied-upon paragraph of Boone US 2003/0192925.

Conclusion

Reconsideration and allowance are requested for the foregoing reasons. Claims 1-11, 13-28 and 30-32 are in the case.

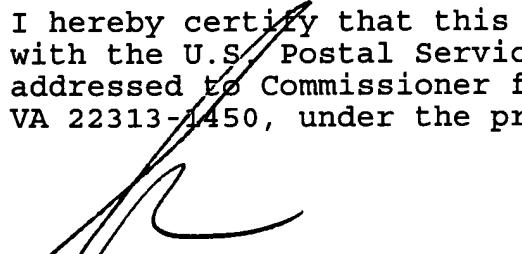
Respectfully submitted,

  
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Steven C. Schnedler

  
Date

June 6, 2006